



Dkt. 0179/61248-A/JPW/BJA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Gregory B. Wilson and R. Riley Shuler
U.S. Serial No.: 09/776,010 Examiner: Bao Qun Li
Filed : February 2, 2001 Group Art Unit: 1648
For : HUMAN HERPESVIRUS 6A AND 6B TRANSFER FACTORS
FOR THE TREATMENT OF CHRONIC FATIGUE
SYNDROME AND MULTIPLE SCLEROSIS

1185 Avenue of the Americas
New York, New York 10036
February 14, 2006

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION AND
PETITION FOR FIVE-MONTH EXTENSION OF TIME

This Amendment is being filed with an accompanying Request for Continued Examination. A Final Office Action was issued January 11, 2005 by the United States Patent and Trademark Office in connection with the above-identified application. A response to the Office Action was filed June 13, 2005, and a Notice of Appeal was filed July 11, 2005. Accordingly, an Appeal Brief was due September 11, 2005 in connection with the above-identified application. Applicants hereby petition for a five-month extension of time for filing an Appeal Brief. The fee for a five-month extension of time for a small entity is ONE THOUSAND AND EIGHTY DOLLARS (\$1080.00) and a check including this amount is enclosed. Applicants have previously established small entity status. With a five-month extension of time a response is now due February 11, 2006. However, since February 11, 2006 falls on a Saturday, an Appeal Brief filed by Monday, February 13, 2006, is considered timely under 37 C.F.R. §1.7. Furthermore, applicants note that the Notice of Appeal was received and stamped by the U.S. Patent and Trademark Office on July 14, 2005, making an Appeal Brief filed on February 14, 2006 timely under M.P.E.P. §1206. Accordingly this Amendment and accompanying RCE, which are filed in lieu of an Appeal Brief, are being timely filed.

Please amend the subject application as follows:

02/17/2006 VP/LITEI 00000013 09776010

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